

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

STATE OF TEXAS et al.,

Plaintiffs,

v.

RISING EAGLE CAPITAL GROUP LLC et al.,

Defendants

CASE NO. 4:20-cv-02021

**DEFENDANTS SCOTT SHAPIRO'S OBJECTIONS TO  
PLAINTIFFS' DESIGNATIONS OF DEPOSITION TESTIMONY**

Defendant Scott Shapiro ("Mr. Shapiro") submits these objections to Plaintiffs' Designations of Deposition Testimony of Amy Brady.

**General Objections**

Mr. Shapiro objects to all of the below designations because all of them comprise irrelevant information and/or information that, even if relevant, is more prejudicial and/or confusing than it is probative. *See* Fed. R. Evid. 401, 403. Mr. Shapiro also adopts and incorporates herein by reference the objections of defendants Michael Smith and Health Advisors of America. Finally, Mr. Shapiro also specifically asserts the following objections:

<b>Begin</b>	<b>End</b>	<b>Mr. Shapiro's Objection to Designation</b>	<b>Plaintiffs' Response</b>	<b>Ruling</b>
<b>Brady, Amy — May 20, 2022</b>				
13:14	13:16	See general objections.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended

16:10	17:3	See general objections.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
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<b>Begin</b>	<b>End</b>	<b>Defendants' Objection to Designation</b>	<b>Plaintiffs' Response</b>	<b>Ruling</b>
17:14	17:25	See general objections.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
18:6	18:8	See general objections.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
18:25	19:20	See general objections.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
18:25	19:20	Objection, this designation is duplicative. See general objections.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
34:19	35:5	See general objections. Also, hearsay, FRE 801.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
39:8	40:2	See general objections. Also, hearsay, nonresponsive, vague and confusing question: FRE 801, 403, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
41:1	42:5	See general objections. Also, hearsay, document speaks for itself, confusing question: FRE 801, 403, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended

47:1	48:1	See general objections. Also, hearsay, document speaks for itself, leading question, nonresponsive answer: FRE 801, 403, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
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<b>Begin</b>	<b>End</b>	<b>Defendants' Objection to Designation</b>	<b>Plaintiffs' Response</b>	<b>Ruling</b>
48:12	50:22	See general objections. Also, hearsay, no foundation, nonresponsive answer: FRE 801, 403, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
53:12	54:23	See general objections. Also, Leading questions, calls for hearsay, hypothetical questions, confusing, no foundation, speculation: FRE 801, 403, 602, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
56:23	57:3	See general objections. Also, no foundation, non-responsive: FRE 602.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
79:2	85:18	See general objections. Also, hearsay, no foundation, Leading questions, non responsive: FRE 801, 403, 602, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
85:21	87:13	See general objections. Also, hearsay, no foundation, Leading questions, speculation: FRE 801, 403, 602, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
89:4	90:10	See general objections. Also,		

		hearsay, no foundation: FRE 801, 403, 602.		
90:19	90:23	See general objections. Also, hearsay, no foundation: FRE 801, 403, 602.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
92:1	92:2 4	See general objections. Also, hearsay, no foundation, nonresponsive: FRE 801, 403, 602.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
97:10	97:18	See general objections. Also, nonresponsive, no foundation: FRE 403, 602.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended

<b>Begin</b>	<b>End</b>	<b>Defendants' Objection to Designation</b>	<b>Plaintiffs' Response</b>	<b>Ruling</b>
108:5	111:20	See general objections. Also, nonresponsive, no foundation: FRE 403, 602.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
115:20	118:3	See general objections. Also, nonresponsive, no foundation, leading questions: FRE 403, 602, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
121:23	122:1	See general objections. Also, no foundation and no substantive testimony: FRE 403, 602.		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
125:21	128:24	See general objections. Also, no foundation, nonresponsive, hearsay, leading questions: FRE 403, 602, 801, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended
131:17	135:23	See general objections. Also, no foundation, nonresponsive, hearsay, leading questions, more prejudicial than probative: FRE 403, 602, 801, 611(a).		<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled <input type="checkbox"/> Obj. w/d <input type="checkbox"/> Design. w/d <input type="checkbox"/> Amended

Respectfully submitted,

**SCOTT SHAPIRO,**

By, His Counsel,

/s/ Shepard Davidson

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ATTORNEYS FOR DEFENDANT SCOTT SHAPIRO

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been served *via* ECF upon all counsel of record this 12<sup>th</sup> day of May, 2023.

/s/ David R. Thrasher

David R. Thrasher